



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/434,908	11/05/1999	LANE T. HAUCK	0325.00281	4529

21363 7590 12/16/2002

CHRISTOPHER P. MAIORANA, P.C.
24025 GREATER MACK
SUITE 200
ST. CLAIR SHORES, MI 48080

EXAMINER

NGUYEN, CHANH DUY

ART UNIT	PAPER NUMBER
----------	--------------

2675

DATE MAILED: 12/16/2002

5

Please find below and/or attached an Office communication concerning this application or proceeding.

zn

Office Action Summary

Application No.

09/434,908

Applicant(s)

HAUCK, LANE T.

Examiner

Chanh Nguyen

Art Unit

2675

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 October 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5, 7-17, 19-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 15, 7-17, 19-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. The amendment filed on October 03, 2002 has been entered and considered by examiner.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-5, 7-12, 15-17, 19 and 21-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lin (U.S. Patent no. 6,346,933) in view of Sartore et al (U.S. Patent No. 6,012,103).

As to claim 1, Lin discloses an apparatus including a first device (e.g., 30) configured to present one or more control signals in response to one or more input instructions (e.g., mouse clicks from laser pointer 11); see column 6, lines 35-45. Lin teaches a bus interface (USB) to receive one or more control signals; see column 5, lines ; see column 5, lines 5-10. The only thing Lin does not show is a bus interface configured to provide power to the device. In the same field of endeavor, Sartore teaches the peripheral USB interface circuit (120) providing a power (D+) to the device (peripheral USB interface circuit (120)). It is noted that Sartore teaches that "although the

Art Unit: 2675

electronic disconnection and reconnection of the peripheral device to the USB may be initiated by the host computer, it may also be initiated by the host computer, as described above" (see column 8, lines 43-46). Thus, it is clear that the D+ voltage in Sartore can be transmitted from the host computer to the peripheral device through USB bus.

The claimed "wherein said device is configured to operate as a standard device provided in an operating system" is taught by both Lin and Sartore. For example, Lin teaches that "laser pointer 11 used with presentation control system 30 much in the same way as a mouse, a keyboard, or other peripheral device would be used to control projection image 29 via direct input to display computer 21" (see column 6, lines 39-43). It is clear that the device (11) is not a special device or a non-standard device provided in an operating system (i.e. control system 30) because it operates the same way as a mouse, keyboard. No where in the reference of Lin states that the pointer is a non-standard device. Moreover, the term "standard" is so broad that any device can be named as standard. One example is that VHS cassette recorder and BETA cassette recorder. Both VHS and BETA can be named as standard cassette recorders because both can hook-up to the television to record the image even BETA does not have commercial success. Sartore uses two USB interfaces (66, 76) to communicate between two processors (62 from a host computer and 72 from a peripheral device which is the same way as applicant's disclosed device shown in figure 2. Thus, the device (peripheral device such as mouse, keyboard) in Sartore is a standard device as recited in the claim.

Therefore, it would have been obvious to one of ordinary skill in the art at the invention was made to have substituted UBS bus to provide power to the peripheral device as taught by Sartore to the UBS bus to Lin because UBS bus of Sartore provide a system for easily altering the configuration data for a peripheral device; see column 2, lines 20-68 of Sartore.

As to claim 2, Lin clearly teaches a program configured to either advance or retreat through a plurality of slides in response to the one or more control signals; see column 3, lines 59-65 and column 6, lines 6-20.

As to claim 3, Lin clearly teaches a second device (computer 21) configure to run the program and communicate through the bus (UBS 39).

As to claim 4, Sartore clearly teaches bus interface including a Universal Serial Bus bus interface (66, 76).

As to claim 5, it is well-known in the art the bus interface is a wireless link.

As to claims 7-12 and 15, all the limitations recited in claims 6-12 and 15 are met by either by Lin or Sartore. For example, Lin clearly teaches an electronic presentation program as recited in claim 6 (i.e., presentation image 13), a second device (21) being a computer. Lin also teaches a laser pointer (11) having a plurality of control buttons as recited in claims 11 and 15. Sartore teaches that "the UBS also permits the connection and disconnection of USB compatible peripheral devices while the computer is turned on"; see column 1, lines 50-55. This reads on the limitation "without rebooting or repowering the computer" as recited in claim 9.

As to claims 21-22, Lin clearly teaches a hand held device (pointer 11) as recited in claim 21 and standard device is as recited in claim 22.

As to method claims 16-17 and 19, these method claims are analyzed as previously discussed with respect to apparatus claims 1-15 above.

3. Claims 13-14 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lin in view of Meyn et al (U.S. Patent No. 5,859,6223).

As to claim 20, note the discussion of Lin above, Lin discloses the apparatus as recited in claim 20 with exception of mentioning "and simultaneously" the electronic presentation program controlled by computer. In the same field of endeavor, Meyn teaches that "although the system 10 was intended to be operated by a remote control or by light activated control device... However, most actions can be performed using the keys on the control panel of the projector"; see column 13, lines 51-56. Thus, Meyn clearly teaches both the control device (e.g., laser pointer) and the control panel (e.g., keyboard) can control the electronic presentation program. This reads on the claimed limitation "simultaneously" as recited in the claim. For example, a user can use only a laser pointer to scroll and zoom the slides. A user also can scroll the slides of the presentation by using laser pointer, then the user can use the control panel to zoom the slides. Thus a user can use both devices "simultaneously". Therefore, it would have been obvious to one of ordinary skill in the art at the invention was made to have used both laser pointer and control panel to control a plurality of slides as taught by Meyn to

Art Unit: 2675

the presentation control system of Lin so that the user has more choice to control the presentation slides, thereby saving time.

As to claims 13-14, the claimed "alert indicator" is broad enough to read on status dialog as taught by Meyn; see column 21, line 63 through column 22, line 5.

Response to Arguments

4. Applicant's arguments filed October 03, 2002 have been fully considered but they are not persuasive.

On page 21, first paragraph, applicant argues that Lin does not teach or suggest a device configured to operate as a standard device provided in an operating system. Examiner disagrees with applicant this point of view as following reasons:

Lin teaches that "laser pointer 11 used with presentation control system 30 much in the same way as a mouse, a keyboard, or other peripheral device would be used to control projection image 29 via direct input to display computer 21" (see column 6, lines 39-43). It is clear that the device (11) of Lin is not a special device or a non-standard device provided in an operating system (i.e. control system 30) because it operates the same way as a mouse, keyboard. No where in the reference of Lin states that the pointer is a non-standard device. Moreover, the term "standard" is so broad that any device can be named as standard. One example is that VHS cassette recorder and BETA cassette recorder. Both VHS and BETA can be named as standard cassette recorders because both can hook-up to the television to record the image even BETA does not have commercial success. Sartore uses two USB interfaces (66, 76) to communicate between two processors (62 from a host computer and 72 from a

peripheral device which is the same way as applicant's disclosed device shown in figure 2. Thus, the device (peripheral device such as mouse, keyboard) in Sartore is a standard device as recited in the claim.

As to claim 20, on page 21, second paragraph, applicant argues that "neither Lin or Meyn, alone or in combination, teach or suggest a device configured to operate without user-installed driver software by operating as a standard device provided in an operating system". However, the limitation "without user-installed driver software" is not recited in claim 20 as applicant's argument. The claimed "standard device" is clearly taught by Lin as previously discussed with respect to claim 1 above.

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Art Unit: 2675

Inquiries

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chanh Nguyen whose telephone number is (703) 308-6603.

If attempts to reach the examiner by telephone are unsuccessful, the examiner supervisor, Steven Saras can be reached at 305-9720.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121
Crystal Drive, Arlington, VA, Sixth Floor (Receptionist)

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

CN
C.Nguyen
December 2, 2002

Chanh Nguyen
CHANH NGUYEN
PRIMARY EXAMINER